

MURRAY & McCANN
Attorneys at Law
100 Merrick Road, Suite 514 West
Rockville Centre, New York 11570

joemccann@att.net

Tel: (516) 766-3131
Fax: (516)
678-4578
NYC Tel: (212) 921-9500

September 25, 2009

Honorable Arthur D. Spatt
United States District Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722-4451

**Re: Janet Heaney, et al. v. Nicholas Cosmo, et al., Civil Action No. CV-09-757
(EDNY).**

Dear Judge Spatt:

We represent defendant Jason Keryc in the above-referenced action. In connection with our pending motion to dismiss the Amended Complaint and for a stay, this letter is to notify the Court of the briefing schedule agreed to among the parties following yesterday's conference before Your Honor.

The parties have agreed to the following briefing schedule:

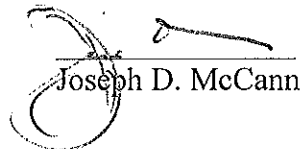
On or before October 23, 2009 - Service and filing of any additional motions by defendants to dismiss or to stay;

On or before November 23, 2009 - Service and filing of plaintiffs' opposition papers to the motions to dismiss or to stay;

On or before December 23, 2009 - Service and filing of defendants' reply papers on the motions to dismiss or to stay.

We thank the Court for its courtesy and consideration in this matter.

Respectfully submitted,


Joseph D. McCann

cc:

Honorable A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722-4451

Campolo, Middleton & Associates, LLP
Attorneys for Plaintiffs
3340 Veterans Memorial Highway
Suite 400
Bohemia, New York 11716

The Law Offices of Ira S. Newman
Attorneys for Sebastian Tauz
98 Cutter Mill Road
Suite 441 - South
Great Neck, New York 11021

Howard E. Greenberg, Esq.
Attorney for Marty Hartmann, Sr. and Marty Hartmann, Jr.
180 East Main Street, Suite 308
Smithtown, New York 11787

Tacopina, Seigel & Turano, P.C.
Attorneys for Anthony Massaro
275 Madison Avenue, 35th Floor
New York, New York 10016